IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO. 83 OF 2007
IN
SECOND APPEAL NO. 39 OF 2007

SMT. NIRMALA VITHAL POROB KAPADI
AND 6 ORS., ... Applicants

Versus

M/S. DEMPO MINING CORPORATION LTD
REPRESENTED BY MR. SUBHASH
KARMALI AND 3 ORS., ... Respondents

Mr. S. D. Lotlikar, Senior Advcoate with Ms. Sapna Mordekar, Advocate for the applicants.

Mr. M. S. Usgaonkar, Senior Advocate with Ms. G. Kale, Advocate fro the respondent No.1.

Mr. H. D. Naik, Advocate for the respondent No.4.

Coram:- R. S. MOHITE, J.

Date:- 5th July, 2007

P.C.

Heard all parties. The relief which is sought in this civil application is for the stay of the impugned Judgment and Decree. The second appeal has been already admitted. The Advocate for the applicant states that as far as the respondent No.1 is concerned, there is a lease deed granted in their favour and, therefore, though the Decree may be stayed in its totality, the statement may be recorded that the original plaintiffs will not interfere with the possession of the respondent No.1.

In the circumstances, the application is made absolute in terms of prayer clause (a), subject to the aforesaid statement which is accepted.

R. S. MOHITE, J.

ssm.